

## APPENDIX

### STATUTES, ORDERS AND REGULATIONS

Section 5 (b) of the Trading With the Enemy Act of October 6, 1917, c. 106, 40 Stat. 411, 415, as amended March 9, 1933, c. 1, Section 2, 48 Stat. 1 (U. S. C., Title 12, Sec. 95a) :

During time of war or during any other period of national emergency declared by the President, the President may, through any agency that he may designate, or otherwise, investigate, regulate, or prohibit, under such rules and regulations as he may prescribe, by means of licenses or otherwise, any transactions in foreign exchange, transfers of credit between or payments by banking institutions as defined by the President, and export, hoarding, melting, or earmarking of gold or silver coin or bullion or currency, \* \* \*. Whoever willfully violates any of the provisions of this subdivision or of any license, order, rule, or regulation issued thereunder, shall, upon conviction, be fined not more than \$10,000, or, if a natural person, may be imprisoned for not more than ten years, or both; \* \* \*.

The pertinent portions of Executive Order No. 6260, issued August 28, 1933, as amended by Executive Order No. 6556, issued January 12, 1934 (copied under U. S. C., Title 12, Sec. 95), which Executive Orders were issued pursuant to Section

5 (b) of the Trading With the Enemy Act, as amended:

By virtue of the authority vested in me by section 5 (b) of the act of October 6, 1917, as amended by section 2 of the act of March 9, 1933, entitled "An act to provide relief in the existing national emergency in banking and for other purposes", I, Franklin D. Roosevelt, President of the United States of America, do declare that a period of national emergency exists, and by virtue of said authority and of all other authority vested in me, do hereby prescribe the following provisions for the investigation and regulation of the hoarding, earmarking, and export of gold coin, gold bullion, and gold certificates by any person within the United States or any place subject to the jurisdiction thereof; \* \* \*

\* \* \* \* \*

SEC. 4. ACQUISITION OF GOLD COIN AND GOLD BULLION.—No person other than a Federal Reserve bank shall after the date of this order acquire in the United States any gold coin, gold bullion, or gold certificates except under license therefor issued pursuant to this Executive order: \* \* \* provided further that collectors of rare and unusual coin may acquire from one another and hold without necessity of obtaining a license therefor gold coin having a recognized special value to collectors of rare and unusual coin \* \* \*.

Gold Reserve Act of 1934, c. 6, 48 Stat. 337:

SEC. 2. (a) Upon the approval of this Act all right, title, and interest, and every claim of the Federal Reserve Board, of every Federal Reserve bank, and of every Federal Reserve agent, in and to any and all

gold coin and gold bullion shall pass to and are hereby vested in the United States; \* \* \* (U. S. C., Title 31, Sec. 441).

\* \* \* \* \*

SEC. 3. The Secretary of the Treasury shall, by regulations issued hereunder, with the approval of the President, prescribe the conditions under which gold may be acquired and held, transported, melted or treated, imported, exported, or earmarked: (a) for industrial, professional, and artistic use; (b) by the Federal Reserve banks for the purpose of settling international balances; and, (c) for such other purposes as in his judgment are not inconsistent with the purposes of this Act. Gold in any form may be acquired, transported, melted or treated, imported, exported, or earmarked or held in custody for foreign or domestic account (except on behalf of the United States) only to the extent permitted by, and subject to the conditions prescribed in, or pursuant to, such regulations \* \* \*. (U. S. C., Title 31, Sec. 442.)

SEC. 4. Any gold withheld, acquired, transported, melted or treated, imported, exported, or earmarked or held in custody, in violation of this Act or of any regulations issued hereunder, or licenses issued pursuant thereto, shall be forfeited to the United States, and may be seized and condemned by like proceedings as those provided by law for the forfeiture, seizure, and condemnation of property imported into the United States contrary to law; and in addition any person failing to comply with the provisions of this Act or of any such regulations or licenses, shall be subject to a penalty equal to twice the value of the gold in

respect of which such failure occurred.  
(U. S. C., Title 31, Sec. 443.)

SEC. 5. No gold shall hereafter be coined, and no gold coin shall hereafter be paid out or delivered by the United States: \* \* \*. All gold coin of the United States shall be withdrawn from circulation, \* \* \*. (U. S. C., Title 31, Sec. 315b.)

\* \* \*

SEC. 13. All actions, regulations, rules, orders, and proclamations heretofore taken, promulgated, made or issued by the President of the United States or the Secretary of the Treasury, under the Act of March 9, 1933, or under section 43 or section 45 of title III of the Act of May 12, 1933, are hereby approved, ratified, and confirmed. (U. S. C., Title 31, Sec. 824.)

Section 20 of the Provisional Regulations issued by the Secretary of the Treasury on January 31, 1934, with the approval of the President, pursuant to Section 3 of the Gold Reserve Act of 1934:

SEC. 20. RARE COIN.—Gold coin of recognized special value to collectors of rare and unusual coin \* \* \* may be acquired and held, transported within the United States, imported or held in custody for domestic account without the necessity of holding a license therefor \* \* \*.